

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ZAKIR HOSSAIN, DANIEL INCLAN, and ARMANDO	:	
MESINAS, on behalf of themselves, FLSA Collective	:	24-CV-4078 (JAV)
Plaintiffs, and the Class,	:	
	:	
Plaintiffs,	:	<u>ORDER SCHEDULING</u>
	:	<u>DEFAULT JUDGMENT</u>
	:	<u>BRIEFING</u>
-v-	:	
	:	
LET'S EAT, LLC d/b/a EXTRA VIRGIN, and	:	
MICHELE GATON,	:	
	:	
Defendants.	:	
-----X		
JEANNETTE A. VARGAS, United States District Judge:		

Defendants in this action appear to be in default. Plaintiffs shall file any motion for default judgment, in accordance with the Court's Individual Rules and Practices for Civil Cases, by **September 6, 2025**. Plaintiffs should familiarize themselves with Local Civil Rules 55.1 and 55.2, which, along with Rule 55 of the Federal Rules of Civil Procedure and Appendix A of the Court's Individual Rules, govern default judgment motion practice before this Court. Per Local Civil Rule 55.2, a party seeking default judgment must append to the motion a Clerk's Certificate of Default, which may be obtained by following the procedure described in Local Civil Rule 55.1. To be clear: Plaintiffs must file their **motion** for default judgment, *not* merely their request for a Clerk's Certificate of Default, by the above deadline.


If Plaintiffs' counsel submits calculations in support of any motion for default judgment, Plaintiffs' counsel shall also email native versions of the files with the calculations (i.e., versions of the files in their original format, such as in ".xlsx") to Chambers at VargasNYSDChambers@nysd.uscourts.gov. If or when a motion for default judgment is filed, the Court will enter a further Order setting a deadline for any opposition and reply and

scheduling a show cause hearing. If no motion for default judgment is filed by the deadline set forth above, the case may be dismissed for failure to prosecute without further notice to the parties.

Plaintiffs shall serve a copy of this Order electronically and/or by first-class mail on Defendants **within two business days from the date of this Order** and shall file proof of such service **within three business days of the date of this Order**.

SO ORDERED.

Dated: August 13, 2025
New York, New York



JEANNETTE A. VARGAS
United States District Judge